

properly removed under 28 U.S.C. §§ 1332, 1441, 1446, and 1453. Pursuant to 28 U.S.C. §1446(d), copies of this Notice of Removal are being served upon counsel for Plaintiff, MAX MEDIA, INC., and filed with the Clerk of the Of the California Superior Court for the County of Orange, as an exhibit to a Notice to State Court of Removal to Federal Court. A copy of the Notice being filed in state court is attached hereto as Exhibit "A".

### PROCEDURAL HISTORY AND TIMELINESS OF REMOVAL

- 1. On May 31, 2012, Plaintiff, Max Media, Inc., filed a complaint alleging among other causes of action securities fraud in violation of Section 10(b) of the Securities Exchange Act of 1934, 15 U.S.C. §78j(b), and Rule 10b-5 promulgated thereunder, 17 C.F.R. §240.10b-5.
- 2. Defendants, Cortislim International, Inc., Cortislim International, LLC, and National Marketing, Inc., were served with the summons and complaint on June 7, 2012. Defendant, John D. Neubauer, Jr., was served with the summons and complaint on June 20, 2012. Defendant, Alan R. Sporn, was served with the summons and complaint on July 5, 2012. (Exhibit "B" Proofs of Service.) This notice is therefore timely with respect to Alan R. Sporn pursuant to 28 U.S.C. §1446(b). Pursuant to 28 U.S.C. §1446(a), true and correct copies of all process, pleadings, and orders served upon Defendants in the State Court Action are attached to this Notice as Exhibit "C".
- 3. The California Superior Court for the County of Orange, Central Justice Center, is located within the Central District of California. 28 U.S.C. §84(d). This Notice of Removal is therefore properly filed in this Court pursuant to 28 U.S.C. §1441(a).

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#### JOINDER NECESSARY

4. Defendants, Cortislim International, Inc., Cortislim International, LLC, National Marketing, Inc., and John D. Neubauer, consent and join in the notice of removal.

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#### ALLEGATIONS OF THE COMPLAINT

- 5. This action involves among other claims a cause of action for securities fraud in violation of Section 10(b) of the Securities Exchange Act of 1934, 15 U.S.C. §78j(b), and Rule 10b-5 promulgated thereunder, 17 C.F.R. §240.10b-5. (Exhibit "C" Complaint Pg. 13, ¶53.)
- 6. Plaintiff specifically alleges that all Defendants used the "means and instrumentalities of interstate commerce and/or mails, telephone, wire and internet to convey materially false statements concerning the sale of securities to plaintiff . . . ." (Exhibit "C" Complaint ¶42.) Plaintiff further alleges that "By engaging in the foregoing conduct in violation of federal and state securities laws, the Sporn Affiliated Defendants, Neubauer, and R. Sporn acted with fraud and malice . . . ." (Exhibit "C" Complaint ¶52.)
- 7. Defendants dispute and deny Plaintiff's allegations and believe the complaint lacks merit and deny that Plaintiff suffered damages.

#### BASIS FOR REMOVAL

8. This action is within the original jurisdiction of this Court and removal therefore is proper under 28 U.S.C. §§ 1332, 1441, 1446, and 1453, which grant district courts original jurisdiction over securities claims under Section 10(b) of the Securities Exchange Act of 1934, 15 U.S.C. §78j(b), and Rule 10b-5 promulgated thereunder, 17 C.F.R. §240.10b-5.

#### CONCLUSION

9. For all the reasons stated above, this action is within the original jurisdiction of this Court pursuant to 28 U.S.C. §1332(d). Accordingly, this action is removable pursuant to 28 U.S.C. §1441(a) and §1453.

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PERENDANTS NOTICE OF REMOVAL.

Wherefore, Defendants give notice that the above described action pending against them in the Superior Court for the County of Orange, Central Justice Center, is removed to this Court. GARCIA & PHAN, A Law Corporation DATED: July 31, 2012 JUAN D. GARCIA Attorneys for Defendants, CORTISLIM INTERNATIONAL, INC., NATIONAL MARKETING, INC., CORTISLIM INTERNATIONAL, LLC, ALAN R. SPORN, and JOHN S. NEUBAUER, JR. 

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1	Robert N. Phan (State Bar No. 217283)		
2	Juan D. Garcia (State Bar No. 215980)  GARCIA & PHAN, A Prof. Law Corp.		
3	17011 Beach Blvd., Ste. 540 Huntington Beach, CA 92647		
4	Telephone: (714) 848-8200 Facsimile: (714) 677-4005		
5			
6	Attorneys for Defendants, CORTISLIM INTERNATIONAL, INC.;		
7	NATIONAL MARKETING, INC.; CORTISLIM INTERNATIONAL, LLC;		
8	ALAN R. SPORN; and JOHN S. NEUBAUER, JR.		
9	SUPERIOR COURT OF THE STATE OF CALIFORNIA		
10	FOR THE COUNTY OF ORANGE		
11	FOR THE COOK TO CREATE		
12	MAX MEDIA, INC., a corporation, CASE NO.: 30-2012-00573178		
13	Plaintiff,		
14	DEFENDANTS CORTISEINI INTERNATIONAL, INC.;		
15	NATIONAL MARKETING, INC.; CORTISLIM INTERNATIONAL,		
16	CORTISLIM INTERNATIONAL, INC.; LLC; ALAN R. SPORN; and JOHN S. NATIONAL MARKETING, INC.; NEUBAUER, JR.'S NOTICE OF PERMOVAL TO THE SUPERIOR		
17	I COPTICI IM INTERNATIONAL, LLC.) REMOVALIO THE SCILLIGATION		
18	lindividual: RICHARD A. SPORN, an )		
19			
20	Defendants.		
21	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \		
22	TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD AND THE CLERK OF		
23			
24	PLEASE TAKE NOTICE that on July 31, 2012, Defendants CORTISLIM		
2:			
2	INTERNATIONAL, LLC; ALAN R. SPORN; and JOHN S. NEUBAUER, JR. filed a		
2	Notice of Removal of this action with the United States District Court for the Central		
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	DEFENDANTS' CORTISLIM INTERNATIONAL, INC., NATIONAL MARKETING, 2007, 200		
	n en		

District of California. A true and correct copy of said Notice of Removal (without exhibits) is attached as Exhibit A and served and filed herewith. PLEASE TAKE FURTHER NOTICE that, pursuant to 28 U.S.C. §1446, the filing 3 of said Notice affects the removal of this action to the federal court, and this Court is directed to "proceed no further unless and until the case is remanded." 28 U.S.C. §1446(d). GARCIA & PHAN, A Law Corporation DATED: July 31, 2012 8 9 10 Attorneys for Defendants, CORTISLIM INTERNATIONAL, INC.; 11 NATIONAL MARKETING, INC.; CORTISLIM INTERNATIONAL, LLC; 12 ALAN R. SPORN; and JOHN S. NEUBAUER, JR. 13 14 15 16 17 18 19 20 21 22 23 24 25 26

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Exhibit "A"

1			
1 2 3 4	Ju G. 17 Hi Te Fa	obert N. Phan (State Bar No. 217283) an D. Garcia (State Bar No. 215980) ARCIA & PHAN, A Prof. Law Corp. 7011 Beach Blvd., Stc. 540 untington Beach, CA 92647 elephone: (714) 848-8200 acsimile: (714) 677-4005	
6	CN	ttorneys for Defendants, ORTISLIM INTERNATIONAL, INC., IATIONAL MARKETING, INC., ORTISLIM INTERNATIONAL, LLC, LAN R. SPORN, and JOHN S. NEUBAUER	"JR.
8	I		
9		UNITED STATES D	
10		CENTRAL DISTRICT OF CALIFO	ORNIA, SOUTHERN DIVISION
11			CASE NO.:
12	1	MAX MEDIA, INC., a corporation,	OI IDE I CO
13 14		Plaintiff,	DEFENDANTS, CORTISLIM
	-	vs.	INTERNATIONAL, INC., NATIONAL MARKETING, INC.,
15 16 17 18	7	CORTISLIM INTERNATIONAL, INC.; ) NATIONAL MARKETING, INC.; ) CORTISLIM INTERNATIONAL, LLC; ) ALAN R. SPORN, an individual; and ) JOHN S. NEUBAUER, JR., an individual; RICHARD A. SPORN, an individual; and DOES 1 to 20, inclusive, }	CORTISLIM INTERNATIONAL, LLC, ALAN R. SPORN, and JOHN S. NEUBAUER, JR.'S, NOTICE OF REMOVAL
2	0	· }	
2	1	Defendants.	
- 2	I		
2	3	<u>DEFENDANTS, CORTISLIM INT</u> <u>MARKETING, INC., CORTISLIM INT</u> and JOHN S. NEUBAUER, J	TERNATIONAL, INC., NATIONAL ERNATIONAL, LLC, ALAN R. SPORN, R.'S NOTICE OF REMOVAL
		Defendants, CORTISLIM INTERNA	ATIONAL, INC., NATIONAL
	25	MARKETING, INC., CORTISLIM INTER	NATIONAL, LLC, ALAN R. SPORN, and
	The surgicular to 28 II S.C. 81441, hereby remove to this Court		
	the delay which is within the original jurisdiction of this Court and		
	28	the state action described below, which is	<u>-</u>
		p def nt rem.wpd DEFENDANTS' N	OTICE OF REMOVAL

properly removed under 28 U.S.C. §§ 1332, 1441, 1446, and 1453. Pursuant to 28 U.S.C. §1446(d), copies of this Notice of Removal are being served upon counsel for Plaintiff, MAX MEDIA, INC., and filed with the Clerk of the California Superior Court for the County of Orange, as an exhibit to a Notice to State Court of Removal to Federal Court. A copy of the Notice being filed in state court is attached hereto as Exhibit "A".

## PROCEDURAL HISTORY AND TIMELINESS OF REMOVAL

- 1. On May 31, 2012, Plaintiff, Max Media, Inc., filed a complaint alleging among other causes of action securities fraud in violation of Section 10(b) of the Securities Exchange Act of 1934, 15 U.S.C. §78j(b), and Rule 10b-5 promulgated thereunder, 17 C.F.R. §240.10b-5.
- 2. Defendants, Cortislim International, Inc., Cortislim International, LLC, and National Marketing, Inc., were served with the summons and complaint on June 7, 2012. Defendant, John D. Neubauer, Jr., was served with the summons and complaint on June 20, 2012. Defendant, Alan R. Sporn, was served with the summons and complaint on July 5, 2012. (Exhibit "B" Proofs of Service.) This notice is therefore timely with respect to Alan R. Sporn pursuant to 28 U.S.C. §1446(b). Pursuant to 28 U.S.C. §1446(a), true and correct copies of all process, pleadings, and orders served upon Defendants in the State Court Action are attached to this Notice as Exhibit "C".
- 3. The California Superior Court for the County of Orange, Central Justice Center, is located within the Central District of California. 28 U.S.C. §84(d). This Notice of Removal is therefore properly filed in this Court pursuant to 28 U.S.C. §1441(a).

### JOINDER NECESSARY

4. Defendants, Cortislim International, Inc., Cortislim International, LLC, National Marketing, Inc., and John D. Neubauer, consent and join in the notice of removal.

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DEFENDANTS' NOTICE OF REMOVAL

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### ALLEGATIONS OF THE COMPLAINT

- 5. This action involves among other claims a cause of action for securities fraud in violation of Section 10(b) of the Securities Exchange Act of 1934, 15 U.S.C. §78j(b), and Rule 10b-5 promulgated thereunder, 17 C.F.R. §240.10b-5. (Exhibit "C" Complaint Pg. 13, ¶53.)
- 6. Plaintiff specifically alleges that all Defendants used the "means and instrumentalities of interstate commerce and/or mails, telephone, wire and internet to convey materially false statements concerning the sale of securities to plaintiff . . . ." (Exhibit "C" Complaint ¶42.) Plaintiff further alleges that "By engaging in the foregoing conduct in violation of federal and state securities laws, the Sporn Affiliated Defendants, Neubauer, and R. Sporn acted with fraud and malice . . . ." (Exhibit "C" Complaint ¶52.)
- 7. Defendants dispute and deny Plaintiff's allegations and believe the complaint lacks merit and deny that Plaintiff suffered damages.

### BASIS FOR REMOVAL

8. This action is within the original jurisdiction of this Court and removal therefore is proper under 28 U.S.C. §§ 1332, 1441, 1446, and 1453, which grant district courts original jurisdiction over securities claims under Section 10(b) of the Securities Exchange Act of 1934, 15 U.S.C. §78j(b), and Rule 10b-5 promulgated thereunder, 17 C.F.R. §240.10b-5.

#### CONCLUSION

9. For all the reasons stated above, this action is within the original jurisdiction of this Court pursuant to 28 U.S.C. §1332(d). Accordingly, this action is removable pursuant to 28 U.S.C. §1441(a) and §1453.

Wherefore, Defendants give notice that the above described action pending against them in the Superior Court for the County of Orange, Central Justice Center, is removed to this Court. GARCIA & PHAN, A Law Corporation DATED: July 31, 2012 Attorneys for Defendants, CORTISLIM INTERNATIONAL, INC., NATIONAL MARKETING, INC. CORTISLIM INTERNATIONAL, LLC, ALAN R. SPORN, and JOHN S. NEUBAUER, JR. 

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#### PROOF OF SERVICE 1 STATE OF CALIFORNIA, COUNTY OF ORANGE 2 I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is 17011 Beach Blvd., Ste. 3 540, Huntington Beach, CA 92647. 4 On July 31, 2012, I served the foregoing document described as: 5 DEFENDANTS, CORTISLIM INTERNATIONAL, INC., NATIONAL MARKETING, INC., CORTISLIM INTERNATIONAL, LLC, ALAN R. SPORN, and JOHN S. NEUBAUER, JR.'S, NOTICE OF REMOVAL 6 7 on interested parties in this action by placing a true and correct copy thereof enclosed in a 8 sealed envelope addressed as follows: 9 [SEE ATTACHED SERVICE LIST] 10 (BY MAIL) I deposited such envelope in the mail at Huntington Beach, California. The 11 X envelope was mailed with postage thereon fully prepaid. [X] As follows: I am "readily familiar" with the firm's practice of collection 12 and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully 13 prepaid at Huntington Beach, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal 14 cancellation date or postage meter date is more than one day after date of deposit 15 for mailing in affidavit. Executed on July 31, 2012, at Huntington Beach, California. 16 (BY OVERNIGHT DELIVERY) I caused such envelope to be delivered via 17 [] Overnight Express to the addressee(s) as indicated. (BY FACSIMILE) I faxed such document(s) to the facsimile number(s) shown on 18 the service list. The transmission was reported as complete and without error by []19 the transmitting facsimile machine. (BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of 20 $[\ ]$ the addressee. 21 Executed on \*, at Huntington Beach, California. (STATE) I declare under penalty of perjury under the laws of the State of 22 [X]California that the above is true and correct. 23 (FEDERAL) I declare that I am employed in the office of a member of the bar of 24 K this court at whose direction the service was made. 25 26 27 Maria Sotelo 28

DEFENDANTS' NOTICE OF REMOVAL

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1	SERVICE LIST
2 3 4 5	Robert G. Dyer, Esq. LAW OFFICES OF ROBERT G. DYER 501 West Broadway, Suite 1700 San Diego, CA 92101 619-234-9193 (Direct) 619-234-9192 (Facsimile) rgd@rgdyerlaw.com  * Counsel for Plaintiff  * Counsel for Plaintiff
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11 12 13	
14 15	
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18 19	
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22 23	
24 25 26	
2° 2°	7
٠	p_def_nt_rem.wpd DEFENDANTS' NOTICE OF REMOVAL

PROOF OF SERVICE STATE OF CALIFORNIA, COUNTY OF ORANGE 2 I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is 17011 Beach Blvd., Ste. 3 540, Huntington Beach, CA 92647. On July 31, 2012, I served the foregoing document described as: 5 DEFENDANTS' CORTISLIM INTERNATIONAL, INC.; 6 NATIONAL MARKETING, INC.; CORTISLIM INTERNATIONAL, LLC; ALAN R. SPORN; and JOHN S. 7 NEUBAUER, JR.'S NOTICE OF REMOVAL TO THE SUPERIOR COURT 8 on interested parties in this action by placing a true and correct copy thereof enclosed in a sealed envelope addressed as follows: 9 10 [SEE ATTACHED SERVICE LIST] .11 X (BY MAIL) I deposited such envelope in the mail at Huntington Beach, California. The 12 envelope was mailed with postage thereon fully prepaid. As follows: I am "readily familiar" with the firm's practice of collection 13 and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Huntington Beach, California in the ordinary course of business. I am 14 aware that on motion of the party served, service is presumed invalid if postal 15 cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit. 16 Executed on \*, at Huntington Beach, California. 17 (BY OVERNIGHT DELIVERY) I caused such envelope to be delivered via ll Overnight Express to the addressee(s) as indicated. 18 (BY FACSIMILE) I faxed such document(s) to the facsimile number(s) shown on the service list. The transmission was reported as complete and without error by 19  $[\ ]$ the transmitting facsimile machine. 20 (BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of 21 [] the addressee. Executed on \*, at Huntington Beach, California. 22 (STATE) I declare under penalty of perjury under the laws of the State of X 23 California that the above is true and correct. (FEDERAL) I declare that I am employed in the office of a member of the bar of 24 []. this court at whose direction the service was made. 25 26 Maria Setelo 27 28 DEFENDANTS' CORTISLIM INTERNATIONAL, INC.; NATIONAL MARKETING, INC.; def\_nt\_rem.state.wpc CORTISLIM INTERNATIONAL, LLC; ALAN R. SPORN; and JOHN S. NEUBAUER, JR.'S NOTICE OF REMOVAL TO

THE SUPERIOR COURT

### SERVICE LIST \* Counsel for Plaintiff Robert G. Dyer Law Office of Robert G. Dyer 501 West Broadway, Suite 1700 San Diego, CA 92101 telephone: (619) 234-9193 Facsimile: (619) 234-9192 .18 DEFENDANTS' CORTISLIM INTERNATIONAL, INC.; NATIONAL MARKETING, INC.; CORTISLIM INTERNATIONAL, LLC; ALAN R. SPORN; and JOHN S. NEUBAUER, JR.'S NOTICE OF REMOVAL TO

THE SUPERIOR COURT

	•	ı
1	LAW OFFICES OF ROBERT G. DYER Robert G. Dyer, SB #76300	ELECTRONICALLY FILED Superior Court of California, County of Orange
2	EAL Wast Prophyllar Sille 1770	County of Orange 07/13/2012 at 10:12:00 AM
3	San Diego, California 92101 Telephone: (619) 234-9193 Facsimile: (619) 234-9192	Clerk of the Superior Court
4		By Michele Curry, Deputy Clerk
5	Attorneys for Plaintiff MAX MEDIA, INC.	·
6		
7		·
8	SUPERIOR COURT OF THE	STATE OF CALIFORNIA
9	FOR THE COUNT	TY OF ORANGE
10	MAX MEDIA, INC., a corporation,	CASE NO. 30-2012-00573178-CU-BC-CJC
11	Plaintiff,	Action Filed: May 31, 2012
12	v. )	PROOF OF SERVICE OF SUMMONS RE: CORTISLIM INTERNATIONAL, INC.
13	CORTISLIM INTERNATIONAL, INC.;	CORTISEMMINIDAMINIONIZATION
14	NATIONAL MARKETING, INC.; CORTISLIM INTERNATIONAL LLC; ALAN	
15	R. SPORN, an individual; JOHN S.  NEURALIER IR an individual; RICHARD A)	F
16	SPORN, an individual; and DOES 1 to 20, inclusive,	
17	Defendant.	
18		<b>)</b>
19	111	
20	1//	•
21	111	
22	111	
23	111	•
24	111	
25	5   111	
26	5 ///	
27	7 ///	•
28	3 ///	
	BROOF OF SERVICE OF SUMMONS	-1- RE CORTISLIM INTERNATIONAL, INC.

		POS-0
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address)  ROBERT G. DYER, ESQ.  ROBERT G. DYER, LAW OFFICES OF.	SBN: SB #076300	FOR COURT USE ONLY
501 WEST BROADWAY STE 1700 SAN DIEGO, CA 92101  TELEPHONE NO.: (619) 234-9193 FAX NO.(Optional):  E-MAIL ADDRESS (Optional):  ATTORNEY FOR (Name): Plaintiff: MAX MEDIA, INC.	nal): (619) 234-9192	
ORANGE COUNTY SUPERIOR COURT  STREET ADDRESS: 700 CIVIC CENTER DR. WEST  MAILING ADDRESS:		
CITY AND ZIP CODE: SANTA ANA, CA 92702 BRANCH NAME: SANTA ANA		OVOC MEMBER:
PLAINTIFF/PETITIONER: MAX MEDIA, INC.  DEFENDANT/RESPONDENT: CORTISLIM INTERNATIONAL, INC.		CASE NUMBER:  30-2012-00573178-CU-BC-CJC  Ref. No. or File No.:
PROOF OF SERVICE OF SUMMO	)NS	Max Media/ Dana
(Separate proof of service is 1. At the time of service I was at least 18 years of age and not a	required for each party served party to this action.	<b>)</b>
2. I served copies of:  a. X summons b. X complaint c. X Alternative Dispute Resolution (ADR) package d. X Civil Case Cover Sheet (served in complex cases onle e. Cross-complaint f. X other (specify documents): NEW PROCEDURES 3. a. Party served (specify name of party as shown on docume CORTISLIM INTERNATIONAL, INC. b. X Person (other than the party in item 3a) served on bel item 5b on whom substituted service was made) (spe MY LLC.COM - REGISTERED AGENT - By Servin	FOR EXPEDITED JURY T  nts served):  half of an entity or as an author  wife name and relationship to t	rized agent (and not a person under he party named in item 3a):
4. Address where the party was served: 5716 Corsa Ave, St. Westlake Village, C.	uite 110	
5. I served the party (check proper box) a. X by personal service. I personally delivered the doc receive service of process for the party (1) on (date):	00/01/12012 (2) 44/44/4/	•••
b. by substituted service. On (date): at (time): I left in the presence of (name and title or relationship to p  (1) (business) a person at least 18 years of age	apparently in charge at the off	fice or usual place of business of the
person to be served. I informed him of her of the household (2) (home) a competent member of the household abode of the party. I informed him or her of the party.	old (at least 18 years of age) at the general nature of the paper	the dwelling house or usual place of s.
(3) (physical address unknown) a person at le address of the person to be served, other that her of the general nature of the papers.  (4) 1 thereafter mailed (by first-class, postage processing the papers)	an a Office Office , ooter out	,
(4) I thereafter mailed (by first-class, postage proplement of the place where the copies were left (Code Civ. (date): from (city):  (5) I attach a declaration of diligence stating a	or [] a	declaration of mailing is attached.
(5) I attach a declaration of diligence stating a	Ionoita raicon mor to accombi be	

CTITIONED MAXINELIA MO.	CASE NUMBER:
ETITIONER: MAX MEDIA, INC.	30-2012-00573178-CU-BC-CJC
SPONDENT: CORTISLIM INTERNATIONAL, IN	
by mail and acknowledgment of receipt of se	ervice. I mailed the documents listed in item 2 to the party, to the address
shown in item 4, by first-class mail, postage pre	(2) from (city):
(1) on (date):	and a mont of Deceint and a postage-paid return envelope addressed to
. 'Attach completed Notice and ACKII	DMIEGGETHERY OF LICECIPAN (COORD CITY COORD)
(4) to an address outside California with ret by other means (specify means of service and	turn receipt requested. (Code Civ. Proc., § 415.40.)  f authorizing code section):
Additional page describing service is attached.	
"Notice to the Person Served" (on the summons)	was completed as follows:
The an individual defendant	
as the person sued under the fictitious name of	f (specify):
as occupant.  X On behalf of (specify): CORTISLIM INTERM	NATIONAL, INC.
X On behalf of (specify): CORTISLING INTERT under the following Code of Civil Procedure se	ection:
X 416.10 (corporation)	415.95 (business organization, form unknown)
416,20 (defunct corporation)	416.60 (minor) 416.70 (ward or conservatee)
416.30 (joint stock company/as	( A control of the second opensor)
416.40 (association or partners	ship) 415.46 (occupant)
416.50 (public entity)	other:
rson who served papers  Nome: PAUL FTTF SANDS - Diversified Leg	gal Services, Inc.
Name: PAULETTE SANDS - Diversified Leg Address: 4665 Park Blvd San Diego, CA 92 Telephone number: (619) 260-8224	gal Services, Inc. 116
Name: PAULETTE SANDS - Diversified Leg Address: 4665 Park Blvd San Diego, CA 92 Telephone number: (619) 260-8224 The fee for service was: \$ 58.50	gal Services, Inc. 116
Name: PAULETTE SANDS - Diversified Leg Address: 4665 Park Blvd San Diego, CA 92 Telephone number: (619) 260-8224 The fee for service was: \$ 58.50 I am:	776
Name: PAULETTE SANDS - Diversified Leg Address: 4665 Park Blvd San Diego, CA 92 Telephone number: (619) 260-8224 The fee for service was: \$ 58.50 I am:  (1)  not a registered California process server.	776
Name: PAULETTE SANDS - Diversified Leg Address: 4665 Park Blvd San Diego, CA 92 Telephone number: (619) 260-8224 The fee for service was: \$ 58.50 I am:  (1)  not a registered California process server. (2)  exempt from registration under Business a (3)  registered California process server:  (i)  owner  employee	776
Name: PAULETTE SANDS - Diversified Leg Address: 4665 Park Blvd San Diego, CA 92 Telephone number: (619) 260-8224 The fee for service was: \$ 58.50 I am:  (1)  not a registered California process server.  (2)  exempt from registration under Business at registered California process server:  (i)  owner  employee  (ii) Registration No.: 3928	and Professions Code section 22350(b).
Name: PAULETTE SANDS - Diversified Leg Address: 4665 Park Blvd San Diego, CA 92 Telephone number: (619) 260-8224 The fee for service was: \$ 58.50 I am:  (1)  not a registered California process server. (2)  exempt from registration under Business a (3)  registered California process server:  (i)  owner  employee  (ii) Registration No.: 3928  (iii) County: LOS ANGELES	and Professions Code section 22350(b).  X independent contractor.
Name: PAULETTE SANDS - Diversified Leg Address: 4665 Park Blvd San Diego, CA 92 Telephone number: (619) 260-8224 The fee for service was: \$ 58.50 I am:  (1)  not a registered California process server. (2)  exempt from registration under Business a (3)  registered California process server:  (i)  owner  employee  (ii) Registration No.: 3928  (iii) County: LOS ANGELES	and Professions Code section 22350(b).  X independent contractor.
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Name: PAULETTE SANDS - Diversified Leg Address: 4665 Park Blvd San Diego, CA 92 Telephone number: (619) 260-8224 The fee for service was: \$ 58.50 I am:  (1)  not a registered California process server.  (2)  exempt from registration under Business a (3)  registered California process server:  (i)  owner  employee  (ii) Registration No.: 3928  (iii) County: LOS ANGELES	and Professions Code section 22350(b).  X independent contractor.  s of the State of California that the foregoing is true and correct.
Name: PAULETTE SANDS - Diversified Leg Address: 4665 Park Blvd San Diego, CA 92. Telephone number: (619) 260-8224 The fee for service was: \$ 58.50 I am:  (1)	and Professions Code section 22350(b).  X independent contractor.  s of the State of California that the foregoing is true and correct.
Name: PAULETTE SANDS - Diversified Leg Address: 4665 Park Blvd San Diego, CA 92 Telephone number: (619) 260-8224 The fee for service was: \$58.50 I am:  (1)  not a registered California process server.  (2)  exempt from registration under Business at registered California process server:  (i)  owner  employee  (ii) Registration No.: 3928  (iii) County: LOS ANGELES  I declare under penalty of perjury under the laws	and Professions Code section 22350(b).  X independent contractor.  s of the State of California that the foregoing is true and correct.
Name: PAULETTE SANDS - Diversified Leg Address: 4665 Park Blvd San Diego, CA 92 Telephone number: (619) 260-8224 The fee for service was: \$ 58.50 I am:  (1)  not a registered California process server.  (2)  exempt from registration under Business at registered California process server:  (i)  owner  employee  (ii) Registration No.: 3928  (iii) County: LOS ANGELES  I declare under penalty of perjury under the laws or  I am a California sheriff or marshal and I certificate the control of the control of the certificate the cer	and Professions Code section 22350(b).  X independent contractor.  s of the State of California that the foregoing is true and correct.
Name: PAULETTE SANDS - Diversified Leg Address: 4665 Park Blvd San Diego, CA 92 Telephone number: (619) 260-8224 The fee for service was: \$ 58.50 I am:  (1)  not a registered California process server.  (2)  exempt from registration under Business at registered California process server:  (i)  owner  employee  (ii) Registration No.: 3928  (iii) County: LOS ANGELES  I declare under penalty of perjury under the laws or  I am a California sheriff or marshal and I certify Date: 06/07/2012  Diversified Legal Services, Inc. 4665 Park Blvd	and Professions Code section 22350(b).  X independent contractor.  s of the State of California that the foregoing is true and correct.
Name: PAULETTE SANDS - Diversified Leg Address: 4665 Park Blvd San Diego, CA 92 Telephone number: (619) 260-8224 The fee for service was: \$ 58.50 I am:  (1)  not a registered California process server.  (2)  exempt from registration under Business at registered California process server:  (i)  owner  employee  (ii) Registration No.: 3928  (iii) County: LOS ANGELES  I declare under penalty of perjury under the laws or  I am a California sheriff or marshal and I certificate the control of the control of the certificate the cer	and Professions Code section 22350(b).  X independent contractor.  s of the State of California that the foregoing is true and correct.
Name: PAULETTE SANDS - Diversified Leg Address: 4665 Park Blvd San Diego, CA 92 Telephone number: (619) 260-8224 The fee for service was: \$ 58.50 I am:  (1)	and Professions Code section 22350(b).  X independent contractor.  s of the State of California that the foregoing is true and correct.
Name: PAULETTE SANDS - Diversified Leg Address: 4665 Park Blvd San Diego, CA 92 Telephone number: (619) 260-8224 The fee for service was: \$ 58.50 I am:  (1)	and Professions Code section 22350(b).  X independent contractor.  s of the State of California that the foregoing is true and correct.
(2) exempt from registration under Business at (3) I registered California process server:  (i) owner employee  (ii) Registration No.: 3928  (iii) County: LOS ANGELES  I declare under penalty of perjury under the laws or  I am a California sheriff or marshal and I certife  Date: 06/07/2012  Diversified Legal Services, Inc.  4665 Park Blvd San Diego, CA 92116	and Professions Code section 22350(b).  X independent contractor.  s of the State of California that the foregoing is true and correct.

1 2 3 4 5 6 7 8		ELECTRONICALLY FILED Superior Court of California, Country of Orange 07/13/2012 at 10:12:00 AM Clerk of the Superior Court By Michele Curry, Deputy Clerk ESTATE OF CALIFORNIA
9	FOR THE COUN	TY OF ORANGE
10 11	MAX MEDIA, INC., a corporation,	CASE NO. 30-2012-00573178-CU-BC-CJC  Action Filed: May 31, 2012
12	Plaintiff,	PROOF OF SERVICE OF SUMMONS RE:
13	v.	NATIONAL MARKETING, INC.
14 -15 16 17	CORTISLIM INTERNATIONAL, INC.; NATIONAL MARKETING, INC.; CORTISLIM INTERNATIONAL LLC; ALAN R. SPORN, an individual; JOHN S. NEUBAUER, JR., an individual; RICHARD A SPORN, an individual; and DOES 1 to 20, inclusive,  Defendant.	) ) ) ) )
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26	111	•
27	111	
28	111	
	PROOF OF SERVICE OF SLIMMO	-1- INS RE NATIONAL MARKETING, INC.
	III	HAG ATO TALETA OLIVERS THE STOCKED STOLEN STOLEN

	FOR COURT USE ONLY
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address)  ROBERT G. DYER, ESQ.  ROBERT G. DYER, LAW OFFICES OF  501 WEST BROADWAY STE 1700 SAN DIEGO, CA 92101	
TELEPHONE NO.: (619) 234-9193 FAX NO. (Optional): (619) 234-9192 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Plaintiff: MAX MEDIA, INC.	
ORANGE COUNTY SUPERIOR COURT  STREET ADDRESS: 700 CIVIC CENTER DR. WEST	
MAILING ADDRESS: CITY AND ZIP CODE: SANTA ANA, CA 92702 BRANCH NAME: SANTA ANA	
PLAINTIFF/PETITIONER: MAX MEDIA, INC.	CASE NUMBER:
DEFENDANT/RESPONDENT: CORTISLIM INTERNATIONAL, INC.	30-2012-00573178-CU-BC-CJC
PROOF OF SERVICE OF SUMMONS	Ref. No. or Fite No.: Max Media/ Dana
(Separate proof of service is required for each party served	·)
<ol> <li>At the time of service I was at least 18 years of age and not a party to this action.</li> <li>I served copies of:</li> </ol>	
<ul> <li>a. X summons</li> <li>b. X complaint</li> <li>c. X Alternative Dispute Resolution (ADR) package</li> <li>d. X Civil Case Cover Sheet (served in complex cases only)</li> <li>e. C cross-complaint</li> <li>f. X other (specify documents): NEW PROCEDURES FOR EXPEDITED JURY T</li> <li>3. a. Party served (specify name of party as shown on documents served):</li> <li>NATIONAL MARKETING, INC.</li> </ul>	RIALS IN CIVIL
b. X Person (other than the party in item 3a) served on behalf of an entity or as an authoritem 5b on whom substituted service was made) (specify name and relationship to to MY LLC.COM - REGISTERED AGENT - By Serving: Blake Murphy - Authori	
4. Address where the party was served: 5716 Corsa Ave, Suite 110 Westlake Village, CA 91362	
5. I served the party (check proper box) a. X by personal service. I personally delivered the documents listed in item 2 to the preceive service of process for the party (1) on (date): 06/07/2012 (2) at (time): 12	•
b. by substituted service. On (date): at (time): I left the documents listed in item 2 in the presence of (name and title or relationship to person indicated in item 3b):	
(1) (business) a person at least 18 years of age apparently in charge at the off person to be served. I informed him of her of the general nature of the paper.	cio.
(2) (home) a competent member of the household (at least 18 years of age) at abode of the party. I informed him or her of the general nature of the paper	the dwelling house or usual place of s.
(3) (physical address unknown) a person at least 18 years of age apparently address of the person to be served, other than a United States Postal Services of the general nature of the papers.	in charge at the usual mailing ice post office box. I informed him of
(gate): from (city).	declaration of mailing is attached.
(5) I attach a declaration of diligence stating actions taken first to attempt pe	ersonal service.

•		
PETITIONER: MAX MEDIA, INC.		CASE NUMBER:
RESPONDENT: CORTISLIM INTERNATIONAL,	INC.	30-2012-00573178-CU-BC_CJC
		Out the mark to the address
c. by mail and acknowledgment of receipt of shown in item 4, by first-class mail, postage p	repaiu,	isted in item 2 to the party to the address.
(1) on (date):	(2) from (city):	etano noid return envelone addressed to
(1) on (date):  (3) with two copies of the Notice and Action me. (Attach completed Notice and Action (Attach completed Notice and Attach completed Notice and Attach completed Notice (Attach completed Notice and Attach completed Notice and Attach completed Notice (Attach completed Notice and Attach completed Notice and Attach completed Notice (Attach completed Notice and Attach completed Notice and Attach completed Notice (Attach completed Notice and Attach completed Notice and Attach completed Notice (Attach completed Notice and Attach completed Notice and Attach completed Notice and Attach completed Notice (Attach completed Notice and Attach completed Notice (Attach completed Notice and Attach completed Notice a	VI DANCED CITIESTE C	- ·
(a) Clare on address outside California with	return receipt requested. (Code Ci	v. Proc., § 415.40.)
d. by other means (specify means of service a	id authorizing social desirence.	
Additional page describing service is attached.  6. The "Notice to the Person Served" (on the summon	d. s) was completed as follows:	
Contraduct defendent	•	
b. as the person sued under the fictitious name	of (specify):	
c. as occupant. d. X On behalf of (specify): NATIONAL MARK	ETING, INC.	
d. X On behalf of (specify): NATIONAL MARK under the following Code of Civil Procedure	section:	
X 416.10 (corporation)	415.95 (busines	ss organization, form unknown)
416.20 (defunct corporation)	416.60 (minor)	- conconvatos)
416.30 (joint stock company)	association) 416.70 (waid o	r conservatee)
416.40 (association or partne	ership) 415.46 (occupa	
416.50 (public entity)	other:	•
·		
7. Person who served papers	and Services Inc.	
a. Name: PAULETTE SANDS - Diversified L. b. Address: 4665 Park Blvd San Diego, CAS	12116	
c. Telephone number: (619) 260-8224		
d. The fee for service was: \$ 23.50		
e, lam:		
C	er.	2350(b).
(2) x exempt from registration under Busines (2) x registered California process server:		entor.
(i)   owner	X independent contra	
(ii) Registration No.: 3928		
(iii) County: LOS ANGELES		
8. X I declare under penalty of perjury under the la	ws of the State of California that th	e foregoing is true and correct.
or 9.	rtify that the foregoing is true and o	correct.
9.   I am a Cainornia sherin of marshar and 1 of		
Date: 06/07/2012		
	<i>", , , -</i>	
Diversified Legal Services, Inc. 4665 Park Blvd		
San Diego, CA 92116		
(619) 260-8224		
PAULETTE SANDS  (NAME OF PERSON WHO SERVED PAPERSISHERIFF C	DP MARSHALL	(SIGNATURE)
INAME OF PERSON WHO SERVED PAPERSISHERIFF C	ga normal energy	

Page 2 of 2

1 2 3 4 5 6	LAW OFFICES OF ROBERT G. DYER Robert G. Dyer, SB #76300 501 West Broadway, Suite 1700 San Diego, California 92101 Telephone: (619) 234-9193 Facsimile: (619) 234-9192 Attorneys for Plaintiff MAX MEDIA, INC.	ELECTRONICALLY FILED Superior Court of California, County of Grange 07/M3/2012 at 10:12:00 AM Clerk of the Superior Court By Michele Curry, Deputy Clerk
8	SUPERIOR COURT OF TH	E STATE OF CALIFORNIA
9	FOR THE COUN	ITY OF ORANGE
10	MAX MEDIA, INC., a corporation,	CASE NO. 30-2012-00573178-CU-BC-CJC
11	Plaintiff,	Action Filed: May 31, 2012
12	v.	PROOF OF SERVICE OF SUMMONS RE: CORTISLIM INTERNATIONAL, LLC
<ul><li>13</li><li>14</li><li>15</li><li>16</li></ul>	CORTISLIM INTERNATIONAL, INC.; NATIONAL MARKETING, INC.; CORTISLIM INTERNATIONAL LLC; ALAN R. SPORN, an individual; JOHN S. NEUBAUER, JR., an individual; RICHARD A SPORN, an individual; and DOES 1 to 20,	) }
17	inclusive,  Defendant.	
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	The same of the sa	S DE CORTISI IM INTERNATIONAL, LLC

	POS-010
ATTORNEY OR PARTY WITHOUT ATTORNEY [Name, State Bar number, and address) .  SBN: SB #076300	FOR COURT USE ONLY
ROBERT G. DYER, LAW OFFICES OF 501 WEST BROADWAY STE 1700 SAN DIEGO, CA 92101	y al
TELEPHONE NO.: (619) 234-9193 FAX NO. (Optional): (619) 234-9192  E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Plaintiff; MAX MEDIA, INC.	1/11/
ORANGE COUNTY SUPERIOR COURT  STREET ADDRESS: 700 CIVIC CENTER DR. WEST  MAILING ADDRESS:  CITY AND ZIP CODE: SANTA ANA, CA 92702	
BRANCH NAME: SANTA ANA	
PLAINTIFF/PETITIONER: MAX MEDIA, INC.	CASE NUMBER: 30-2012-00573178-CU-BC-CJC
DEFENDANT/RESPONDENT: CORTISLIM INTERNATIONAL, INC.	Cost No. on Ette No.
PROOF OF SERVICE OF SUMMONS	Max Media/ Dana
(Separate proof of service is required for each party serve	d.)
<ol> <li>At the time of service I was at least 18 years of age and not a party to this action.</li> <li>I served copies of:</li> </ol>	
a. X summons b. X complaint c. X Alternative Dispute Resolution (ADR) package d. X Civil Case Cover Sheet (served in complex cases only) e. Cross-complaint f. X other (specify documents): NEW PROCEDURES FOR EXPEDITED JURY 3. a. Party served (specify name of party as shown on documents served): CORTISLIM INTERNATIONAL, LLC b. X Person (other than the party in item 3a) served on behalf of an entity or as an authoritem 5b on whom substituted service was made) (specify name and relationship to MY LLC.COM - REGISTERED AGENT - By Serving: Blak Murphy - Authoritem 5b.	orized agent (and not a person under the party named in item 3a):
4. Address where the party was served. 5716 Corsa Ave, Suite 110  Westlake Village, CA 91362	
5. I served the party (check proper box) a. X by personal service. I personally delivered the documents listed in item 2 to the receive service of process for the party (1) on (date): 06/07/2012 (2) at (time): 13	
b. by substituted service. On (date): at (time): I left the documents listed in item in the presence of (name and title or relationship to person indicated in item 3b):	2 with or
(1) (business) a person at least 18 years of age apparently in charge at the operson to be served. I informed him of her of the general nature of the particle.	,
(2) (home) a competent member of the household (at least 18 years of age) a shode of the party. I informed him or her of the general nature of the paper.	t the dwelling house or usual place of ers.
(3) (physical address unknown) a person at least 18 years of age apparently address of the person to be served, other than a United States Postal Served, other of the general nature of the papers.	y in charge at the usual mailing vice post office box. I informed him of
(date): from (city).	declaration of mailing is attached.
(5) lattach a declaration of diligence stating actions taken first to attempt p	ersonal service.

ACSPONDENT: CORTISLIM INTERNATIONAL, INC.  C.   by mail and acknowledgment of receipt of service. I mailed the documents listed in:litem 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid. (1) on (dete). (2) from (city): (3)   with two copies of the Notice and Acknowledgment of Receipt) (Code Civ. Proc., § 415.30):		CASE NUMBER:
c. by mail and acknowledgment of receipt of service. I mailed the documents listed in-item 2 to the party, to the address shown in Item 4, by first-class mail, postage prepaid.  (1) on (dist):  (3) from (city):  (3) with two copies of the Notice and Acknowledgment of Receipt (Code Civ. Proc., § 415.301)  (4) by other means (specify means of service and authorizing code section):  Additional page describing service is attached.  The "Notice to the Person Served" (on the summons) was completed as follows:  as an individual deferndant.  as as an individual deferndant.  (b) as the person served the flictious name of (specify):  c. as occupant.  d. (b) On bearid of (specify): CORTISLIM INTERNATIONAL, LLC under the following Code of Civil Procedure section:  415.95 (business organization, form unknown)  416.20 (defunct corporation)  416.20 (including Code of Civil Procedure section:  416.30 (authorized person)  416.30	PETITIONER: MAX MEDIA, INC.	30-2012-00573178-CU-BC-CJC
shown in item 4. by first-class mail, possage prepail.  (1) on (diste):  (3) from (city):  (4) on twith we copies of the Notice and Acknowledgment of Recepit and a postage-paid return envelope addressed to me. (Attach completed Notice and Acknowledgment of Recepit.) (Code Civ. Proc., § 415.30).  (4) on a address autiside California with return receipt requested. (Code Civ. Proc., § 415.40.)  d. by other means (specify means of service and authorizing code section):  Additional page describing service is attached.  The "Notice to the Person Served" (on the summons) was completed as follows:  as an individual defendant.  as an individual defendant.  as an individual defendant.  as occupant.  d. On betail of (specify): CORTISLIM INTERNATIONAL, LLC under the following Code of Civil Procedure section:    416.20 (defunct corporation)		and the second of the second o
Additional page describing service is attached.   The "Notice to the Person Served" (on the summons) was completed as follows:   as an individual defendant.   as occupant   defended of (specify): CORTISLIM INTERNATIONAL, LLC   under the following Code of Civil Procedure section:   415.95 (business organization, form unknown)   416.00 (corporation)   416.60 (minor)   416.50 (defund corporation)   416.50 (wind for conservatee)   416.30 (joint stock company/association)   416.50 (wind for conservatee)   416.50 (public entity)   defund of corporation   415.46 (occupant)   defund of corporation   def	shown in item 4, by first-class mail, postage prepaid,  (1) on (date):  (3) with two copies of the Notice and Acknowledgment of Receipt and a postage me. (Attach completed Notice and Acknowledgement of Receipt.) (Code Civ.	e-paid return envelope addressed to . Proc., § 415.30:)
3. The "Notice to the Person Served" (on the summons) was completed as individual defendant.  a as an individual defendant.  as the person sued under the fictitious name of (specify):  as occupant.  d. \( \) On behalf of (specify): CORTISLIM INTERNATIONAL, LLC under the following Code of Civil Procedure section:  \( \) 416.10 (corporation)	d. by other means (specify means of service and authorizing code section).	
as the person sued under the fictitious name of (specify): as occupant. d. \( \text{N} \) on behalf of (specify): CORTISLIM INTERNATIONAL, LLC under the following Code of Civil Procedure section: \( \text{N} \) 416.10 (corporation) \(    416.30 (oint stock company/association)   416.80 (minor)   416.30 (public entity)   416.90 (authorized person)   416.40 (association or partnership)   416.40 (association or partnership)   416.40 (accoupant)   416.40 (accoupant	Additional page describing service is attached.  The "Notice to the Person Served" (on the summons) was completed as follows:	
416.10 (corporation)	as an individual defendant. b. as the person sued under the fictitious name of (specify): c. as occupant. d. X On behalf of (specify): CORTISLIM INTERNATIONAL, LLC	
a. Name: PAULETTE SANDS - Diversified Legal Services, inc. b. Address: 4665 Park Blvd San Diego, CA 92116 c. Telephone number: (619) 260-8224 d. The fee for service was: \$ 23.50 e. I am:  (1)	416.10 (corporation)  416.20 (defunct corporation)  416.30 (joint stock company/association)  416.40 (association or partnership)  416.40 (public entity)  415.95 (business of 416.60 (minor)  416.70 (ward or corporation)  416.90 (authorized)  415.46 (occupant)	servatee)
exempt from registration under Business and Professions Cade Section 2200(s).  (3)	a. Name: PAULETTE SANDS - Diversified Legal Services, Inc. b. Address: 4665 Park Blvd San Diego, CA 92116 c. Telephone number: (619) 260-8224 d. The fee for service was: \$ 23.50	
or 9. I am a California sheriff or marshal and I certify that the foregoing is true and correct.  Date: 06/07/2012  Diversified Legal Services, Inc. 4665 Park Blvd San Diego, CA 92116 (619) 260-8224	(2) exempt from registration under Business and Professions Code section 22335  (3) registered California process server:  (i) owner employee  (ii) Registration No.: 3928  (iii) County: LOS ANGELES	r.
Diversified Legal Services, Inc. 4665 Park Blvd San Diego, CA 92116 (619) 260-8224		
4665 Park Blvd San Diego, CA 92116 (619) 260-8224	Date: 06/07/2012	
	4665 Park Blvd San Diego, CA 92116	
PAULETTE SANDS (SIGNATURE)  (NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)	PAULETTE SANDS	(SIGNATURE)

1	LAW OFFICES OF ROBERT G. DYER Robert G. Dyer, SB #76300	ELECTRONICALLY FILED Superior Court of California, County of Orange
2	501 West Broadway, Suite 1700 San Diego, California 92101	07/13/2012 at 10:12:00 AM
3	Telephone: (619) 234-9193 Facsimile: (619) 234-9192	Clerk of the Superior Court By Wichele Curry, Deputy Clerk
4	Attorneys for Plaintiff MAX MEDIA, INC.	by monant carry (==)
5	Attorneys for Plaintin WAX MIDDING TO	
6	·	,
7		
8	SUPERIOR COURT OF TH	HE STATE OF CALIFORNIA
9	FOR THE COU	NTY OF ORANGE
10	MAX MEDIA, INC., a corporation,	) CASE NO. 30-2012-00573178-CU-BC-CJC
11	Plaintiff,	) Action Filed: May 31, 2012
12	V.	) PROOF OF SERVICE OF SUMMONS RE: ) ALAN R. SPORN, AN INDIVIDUAL
13	CORTISLIM INTERNATIONAL, INC.;	) ALAN R. SPORN, AN INDIVIDUAL
14	NATIONAL MARKETING, INC.; CORTISLIM INTERNATIONAL LLC; ALAN	) !)
15	R. SPORN, an individual; JOHN S. NEUBAUER, JR., an individual; RICHARD A	,
16	SPORN, an individual; and DOES 1 to 20, inclusive,	
17	Defendant.	
18	Defendant.	
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22	.   111	· · · · · · · · · · · · · · · · · · ·
23	111	
24	111	
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26	5 ///	
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2	8 ///	
	PROOF OF SERVICE OF SUMMO	-1- NS RE ALAN R. SPORN, AN INDIVIDUAL
	I PROOF OF SERVICE OF SUMMO	AND IND UNITED THE OF ANTI-A VELL TO THE AND

#### Case 8:12-cv-01236-JLS-RNB Document 1 Filed 08/01/12 Page 28 of 43 Page ID #:28 FOR COURT USE ONLY ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) SBN: SB #076300 ROBERT G. DYER, ESQ. ROBERT G. DYER, LAW OFFICES OF 501 WEST BROADWAY STE 1700 SAN DIEGO, CA 92101 (619) 234-9192 FAX NO. (Optional): TELEPHONE NO.: (619) 234-9193 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Plaintiff: MAX MEDIA, INC. ORANGE COUNTY SUPERIOR COURT STREET ADDRESS: 700 CIVIC CENTER DR. WEST MAILING ADDRESS: CITY AND ZIP CODE: SANTA ANA, CA 92702 BRANCH NAME: SANTA ANA CASE NUMBER: PLAINTIFF/PETITIONER: MAX MEDIA, INC. 30-2012-00573178-CU-BC-CJC DEFENDANT/RESPONDENT: CORTISLIM INTERNATIONAL, INC. Ref. No. or File No.: Max Medial Dana PROOF OF SERVICE OF SUMMONS (Separate proof of service is required for each party served.) 1. At the time of service I was at least 18 years of age and not a party to this action. 2. I served copies of: summons X X X a. complaint b. Alternative Dispute Resolution (ADR) package Civil Case Cover Sheet (served in complex cases only) C. d. other (specify documents): NEW PROCEDURES FOR EXPEDITED JURY TRIALS IN CIVIL e. 3. a. Party served (specify name of party as shown on documents served): ALAN R. SPORN, an individual b. Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (specify name and relationship to the party named in item 3a): 4. Address where the party was served: 25232 Rockridge Road Laguna Hills, CA 92653 I served the party (check proper box) a. X by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): 07/05/2012 (2) at (time): 02:45 pm

b. Dy substituted service. On (date): at (time): I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3b):

her of the general nature of the papers.

(date): from (city):

person to be served. I informed him of her of the general nature of the papers.

abode of the party. I informed him or her of the general nature of the papers.

Page 1 of 2

or [ ] a declaration of mailing is attached.

(business) a person at least 18 years of age apparently in charge at the office or usual place of business of the

address of the person to be served, other than a United States Postal Service post office box. I informed him of

(2) (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of

(3) (physical address unknown) a person at least 18 years of age apparently in charge at the usual mailing

place where the copies were left (Code Civ. Proc., §415.20). I mailed the documents on

(5) attach a declaration of diligence stating actions taken first to attempt personal service.

(4) I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the

•	CASE NUMBER:
PETITIONER: MAX MEDIA, INC.	30-2012-00573178-CU-BC-CJC
RESPONDENT: CORTISLIM INTERNATIONAL, INC.	
by mail and acknowledgment of receipt of service. I mailed the doc	uments listed in item 2 to the party, to the address
shown in item 4, by first-class mail, postage prepare,	
(2) from (cit)	/):
(3) with two copies of the Notice and Acknowledgment of Receipt	
(4) to an address outside California with return receipt requested. ( by other means (specify means of service and authorizing code section)	on):
Additional page describing service is attached.  The "Notice to the Person Served" (on the summons) was completed as follows:	ws:
a. X as an individual defendant. b. as the person sued under the fictitious name of (specify): as occupant.	
a Con hehalf of (specify):	
under the following Code of Civil Procedure section:  415.95	(business organization, form unknown)
416.60	(minor)
T 440 00 (initiation) company/association)   410.70	(ward or conservatee)
416.40 (association or partnership)	(authorized person) (occupant)
416.50 (public entity)	Cocapacity
c. Telephone number: (619) 260-8224 d. The fee for service was: \$ 48.50 e. I am:  (1)  not a registered California process server.  (2)  exempt from registration under Business and Professions Code s  (3)  registered California process server:  (i)  owner  employee  independent  (ii) Registration No.: 1761  (iii) County: SAN DIEGO	section 22350(b). t contractor.
I declare under penalty of perjury under the laws of the State of Californ	nia that the foregoing is true and correct.
or  I am a California sheriff or marshal and I certify that the foregoing is to	true and correct.
Date: 07/05/2012	
Diversified Legal Services, Inc. 4665 Park Blvd San Diego, CA 92116 (619) 260-8224	
DEBRA DELGADILLO  (NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)	(SIGNATURE)

	•	
1 2 3 4 5	LAW OFFICES OF ROBERT G. DYER Robert G. Dyer, SB #76300 501 West Broadway, Suite 1700 San Diego, California 92101 Telephone: (619) 234-9193 Facsimile: (619) 234-9192 Attorneys for Plaintiff MAX MEDIA, INC.	ELECTRONICALLY FILED Superior Court of California, County of Orange 07/M3/2012 at 10:12:00 AM Clerk of the Superior Court By Michele Curry, Deputy Clerk
7		
8	SUPERIOR COURT OF TH	E STATE OF CALIFORNIA
9	FOR THE COUN	ITY OF ORANGE
10	MAX MEDIA, INC., a corporation,	) CASE NO. 30-2012-00573178-CU-BC-CJC
11	Plaintiff,	) Action Filed: May 31, 2012
12	V.	PROOF OF SERVICE OF SUMMONS RE:
13	CORTISLIM INTERNATIONAL, INC.;	) JOHN S. NEUBAUER, JR., AN ) INDIVIDUAL
14	NATIONAL MARKETING, INC.;	)
15	R. SPORN, an individual; JUHN 5.	)
16	SPORN, an individual; and DOES 1 to 20, inclusive,	
17	Defendant.	
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20	///	
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2		
2		-1-
	DROOF OF SERVICE OF SUMMONS R	E JOHN S. NEUBAUER, JR., AN INDIVIDUAL

	FOR COURT USE UNLT
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Barnumber, and address)  ROBERT G. DYER, ESQ.  ROBERT G. DYER, LAW OFFICES OF  501 WEST BROADWAY STE 1700 SAN DIEGO, CA 92101	
TELEPHONE NO.: (619) 234-9193 FAX NO. (Optional): (619) 234-9192  E-MAIL ADDRESS (Optional):	1/20/12
ATTORNEY FOR (Name): :	
ORANGE COUNTY SUPERIOR COURT	
STREET ADDRESS: 700 CIVIC CENTER DR. WEST	
MAILING ADDRESS:	
CITY AND ZIP CODE: SANTA ANA, CA 92702	
BRANCH NAME: SANTA ANA	CASE NUMBER:
PLAINTIFF/PETITIONER: MAX MEDIA	30-201200573178CU-BC-CJC
DEFENDANT/RESPONDENT: CORTISLIM INTERNATIONAL	Ref. No. or File No.:
PROOF OF SERVICE OF SUMMONS	DANA/MEDIA
(Separate proof of service is required for each party served	d.)
<ol> <li>At the time of service I was at least 18 years of age and not a party to this action.</li> </ol>	
2. I served copies of:	
a. X summons	
k X complaint	
c. X Alternative Dispute Resolution (ADR) package d. X Civil Case Cover Sheet (served in complex cases only)	
	'S
e. cross-complaint f. X other (specify documents): ATTENTION ALL ATTORNEYS AND LITIGANT	,
3. a. Party served (specify name of party as shown on documents served):  JOHN S. NEUBAUER, JR., AN INDIVIDUAL	
<ul> <li>Person (other than the party in item 3a) served on behalf of an entity or as an authoritem 5b on whom substituted service was made) (specify name and relationship to</li> </ul>	orized agent (and not a person under the party named in item 3a):
4. Address where the party was served: 538 SAN LUCAS DR SOLANA BEACH, CA 92075	:
5. I served the party (check proper box)	a a a a a a a a a a a a a a a a a a a
a. by personal service. I personally delivered the documents listed in them.	
b. X by substituted service. On (date): 06/20/2012 at (time): 12:45 pm   left the docing the presence of (name and title or relationship to person indicated in item 3b): JOANNE NEUBAUER - CO TENANT	
(1) X (business) a person at least 18 years of age apparently in charge at the operson to be served. I informed him of her of the general nature of the pa	
(2) (home) a competent member of the household (at least 18 years of age) abode of the party. I informed him or her of the general nature of the paper.	-· <del>-</del> ·
(3) (physical address unknown) a person at least 18 years of age apparent address of the person to be served, other than a United States Postal Ser her of the general pature of the papers.	ly in charge at the usual mailing vice post office box. I informed him of
(7376): 1011 1611V).	declaration of mailing is attached.
(5) X lattach a declaration of diligence stating actions taken first to attempt p	personal service.

	CASE NUMBER:
PETITIONER: MAX MEDIA	30-201200573178CU-BC-CJC
RESPONDENT: CORTISLIM INTERNATIONAL	the safety to the address.
c. by mail and acknowledgment of receipt of service. I mailed the shown in item 4, by first-class mail, postage prepaid,	
<ul> <li>(1) on (date): (2) from</li> <li>(3)  with two copies of the Notice and Acknowledgment of Recome. (Attach completed Notice and Acknowledgement of Recompleted Notice and Acknowledgement (Notice Notice No</li></ul>	eipt and a postage-paid return envelope addressed to eccipt.) (Code Civ. Proc., § 415.30.)
(4) to an address outside California with return receipt request d. by other means (specify means of service and authorizing code s	ed. (Code Civ. Floc., 8 4 (5.40.)
Additional page describing service is attached.  6. The "Notice to the Person Served" (on the summons) was completed as	follows:
<ul> <li>a. X as an individual defendant.</li> <li>b. as the person sued under the fictitious name of (specify):</li> <li>c. as occupant.</li> <li>d. On behalf of (specify):</li> </ul>	
under the following Code of Civil Procedure section:  416.10 (corporation)  416.20 (defunct corporation)  416.30 (joint stock company/association)  416.40 (corporation)  417.40 (corporation)  418.40 (corporation)  419.41	5.95 (business organization, form unknown) 6.60 (minor) 6.70 (ward or conservatee) 6.90 (authorized person)
416.50 (public entity)	5.46 (occupant) her:
<ul> <li>a. Name: DEBRA DELGADILLO - Diversified Legal Services, 1</li> <li>b. Address: 4665 Park Blvd San Diego, CA 92116</li> <li>c. Telephone number: (619) 260-8224</li> <li>d. The fee for service was: \$ 48.50</li> </ul>	nc.
e. I am:  (1) not a registered California process server.  (2) exempt from registration under Business and Professions Co  (3) X registered California process server:  [X] employee independent	dent contractor.
(i) County: SAN DIEGO	
8. X I declare under penalty of perjury under the laws of the State of Ca or 9. I am a California sheriff or marshal and I certify that the foregoin	
Date: 06/20/2012	·
Diversified Legal Services, Inc. 4665 Park Blvd San Diego, CA 92116 (619) 260-8224	•
DEBRA DELGADILLO  (NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)	(SIGNATURE)

· · · · · · · · · · · · · · · · · · ·		<u></u>		FOR COURT USE ONLY
ROBERT G. DYER, ESQ. ROBERT G. DYER, LAW OFFICES O 501 WEST BROADWAY STE 1700 S. Attorney For: TELEPHONE NO.: (619) 234-9193 E-MAIL ADDRESS (Optional):	F AN DIEGO, CA 92101 FAX NO. (Optional): (619) 234-9192	<u>.</u>		·
ORANGE COUNTY SUPERIOR COU STREET ADDRESS: 700 CIVIC CENTER MAILING ADDRESS: CITY AND ZIP CODE: SANTA ANA, CA 92 BRANCH NAME: SANTA ANA	DR. WEST			
PLAINTIFF (name each): MAX MEDIA  DEFENDANT (name each): CORTISLIM INTERNATIONAL		CASE NUMBER: 30-201200573178CU-BC-CJC		
DET ENDARY (MILLION STATE OF THE STATE OF TH	HEARING DATE:	TIME:	DEPT.:	Ref No. or File No.:  DANA/MEDIA
DECLA	RATION OF DILIGENCE			

I received the within process on June 6, 2012 and that after due and diligent effort I have been able to serve said person. The following itemization of the dates and times of attempts details the efforts required to effect personal service. Additional costs for diligence are recoverable under CCP §1033.5 (a)(4)(B).

Servee: JOHN S. NEUBAUER, JR., AN INDIVIDUAL

Documents: Summons; Complaint; Alternative Dispute (ADR) package; Civil Case Cover Sheet (served in

complex cases only); ATTENTION ALL ATTORNEYS AND LITIGANTS

As enumerated below:

06/06/2012 -- 07:10 pm

538 SAN LUCAS DR

SOLANA BEACH, CA 92075

NO ANSWER

06/07/2012 -- 09:54 am

538 SAN LUCAS DR

SOLANA BEACH, CA 92075

NOT IN, OUT OF TOWN

06/08/2012 -- 07:15 am

538 SAN LUCAS DR

SOLANA BEACH, CA 92075

**NOT IN** 

06/13/2012 -- 06:55 pm

538 SAN LUCAS DR

SOLANA BEACH, CA 92075

NO ANSWER.

06/16/2012 -- 01:00 pm

538 SAN LUCAS DR

SOLANA BEACH, CA 92075

NO ANSWER.

Fee for Service: \$ 48.50

County: SAN DIEGO

Registration No.: 1761 Diversified Legal Services, Inc.

4665 Park Blvd

San Diego, CA 92116

(619) 260-8224

I declare under penalty of perjury under the laws of the State of California that the foregoing information contained in the return of service and statement of service fees is true and correct and that this declaration was executed on June 21, 2012.

Signature: DEBRA DELGADILLO

#### Case 8:12-cv-01236-JLS-RNB Document 1 Filed 08/01/12 Page 34 of 43 Page ID #:34

		FOR COURT USE ONLY
ITTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) ROBERT G. DYER, ESQ. ROBERT G. DYER, LAW OFFICES OF 501 WEST BROADWAY STE 1700 SAN DIEGO, CA 92101	SBN: SB #076300	
TELEPHONE NO.: (619) 234-9193 FAX NO. (Optional):  E-MAIL ADDRESS (Optional):  ATTORNEY FOR (Name):	(619) 234-9192	
ORANGE COUNTY SUPERIOR COURT		
STREET ADDRESS: 700 CIVIC CENTER DR. WEST		
MAILING ADDRESS:		
CITY AND ZIP CODE: SANTA ANA, CA 92702		
BRANCH NAME: SANTA ANA		CASE NUMBER:
PLAINTIFF/PETITIONER: MAX MEDIA	•	30-201200573178CU-BC-CJC
DEFENDANT/RESPONDENT: CORTISLIM INTERNATIONAL		
PROOF OF SERVICE BY MAIL		Ref. No. or File No.: DANA/MEDIA

m a citizen of the United States and employed in the County of San Diego, State of California. I am over the age of 18 and t a party to the within action. My business address is 4665 Park Blvd, San Diego, CA 92116.

1 June 20, 2012, after substituted service under section CCP 415.20(a) or 415.20(b) or FRCIV.P 4(d)(1) was made, I mailed pies of the:

Summons; Complaint; Alternative Dispute (ADR) package; Civil Case Cover Sheet (served in complex cases only); ATTENTION ALL ATTORNEYS AND LITIGANTS

the defendant in said action by placing a true copy thereof enclosed in a sealed envelope, with First Class postage thereon lly prepaid, in the United States Mail at SAN DIEGO, California, addressed as follows:

JOHN S. NEUBAUER, JR., AN INDIVIDUAL

538 SAN LUCAS DR SOLANA BEACH, CA 92075

am readily familiar with the firm's practice for collection and processing of documents for mailing. Under that practice, it would be deposited within the United States Postal Service, on that same day, with postage thereon fully prepaid at SAN DIEGO, alifornia in the ordinary course of business.

Fee for Service: 48.50

DIVERSIFIED LEGAL SERVICES, INC 4665 PARK BLVD SAN DIEGO, CA 92116 (619) 260-8224 I declare under penalty of perjury under the laws of the The State of California that the foregoing information contained in the return of service and statement of service fees is true and correct and that this declaration was executed on June 20, 2012.

Signature: KEVIN'S. GILBERT

1 2 3 4 5 6 7	LAW OFFICES OF ROBERT G. DYER Robert G. Dyer, SB #76300 501 West Broadway, Suite 1700 San Diego, California 92101 Telephone: (619) 234-9193 Facsimile: (619) 234-9192 Attorneys for Plaintiff MAX MEDIA, INC.	ELECTRONICALLY FILED Superior Court of California, County of Orange  07/13/2012 at 10:12:00 AM Clerk of the Superior Court By Michele Curry, Deputy Clerk  E STATE OF CALIFORNIA
8	FOR THE COUN	•
9 10		CASE NO. 30-2012-00573178-CU-BC-CJC
10	MAX MEDIA, INC., a corporation,	CASE NO. 30-2012-005/31/8-CU-BC-C3C Action Filed: May 31, 2012
12	Plaintiff,	PROOF OF SERVICE OF SUMMONS RE:
13	V.	RICHARD A. SPORN, AN INDIVIDUAL
14	CORTISLIM INTERNATIONAL, INC.; NATIONAL MARKETING, INC.; CORTISLIM INTERNATIONAL LLC; ALAN	) )
15	R. SPORN, an individual; JUHN S.	) )
16	SPORN, an individual; and DOES 1 to 20, inclusive,	) )
17	Defendant.	)
18		<b>_)</b>
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21	1//	
22		•
23 24	<u> </u>	•.
25		
26		
2'		·
2	8 ///	
	PROOF OF SERVICE OF SUMMONS	-1- RE RICHARD A. SPORN, AN INDIVIDUAL

•	
	POS-010  FOR COURT USE ONLY
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Robert G. Dyer, Esq., SB #076300  LAW OFFICES OF ROBERT G. DYER 501 West Broadway, Suite 1700	FOR COOR! BSE ONL!
San Diego, CA 92101  TELEPHONE NO.: 619/234-9193 FAX NO. (Optional): 619/234-9192  E-MAIL ADDRESS (Optional): rgd@rgdyerlaw.com	
ATTORNEY FOR (Name): MAX MEDIA, INC.  SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE  STREET ADDRESS: 700 Civic Center Drive West	
MAILING ADDRESS: CITY AND ZIP CODE: Santa Ana, CA 92701 BRANCH NAME: CENTRAL JUSTICE CENTER BRANCH NAME: CENTRAL JUSTICE CENTER	CASE NUMBER:
PLAINTIFF/PETITIONER: MAX MEDIA, INC., a COTPORATION DEFENDANT/RESPONDENT: CORTISLIM INTERNATIONAL, INC.,	30-2012-00573178-CU-BC-CJC
PROOF OF SERVICE OF SUMMONS	Ref. No. or File No.: Max Media
(Separate proof of service is required for each party	y served.)
At the time of service I was at least 18 years of age and not a party to this action.	
2. I served copies of:  a. X summons  b. X complaint  c. X Alternative Dispute Resolution (ADR) package  d. X Civil Case Cover Sheet (served in complex cases only)	
e cross-complaint  fX other (specify documents): NEW PROCEDURES FOR EXPEDITE	
<ul> <li>a. Party served (specify name of party as shown on documents served): RICHAR</li> <li>b. Person (other than the party in item 3a) served on behalf of an entity or under item 5b on whom substituted service was made) (specify name as a service was made).</li> </ul>	es an authorized agent (and not a nerson
4. Address where the party was served: 521 Fifth Avenue, New York	, NY 10175
<ol> <li>I served the party (check proper box)</li> <li>a by personal service. I personally delivered the documents listed in ite receive service of process for the party (1) on (date).</li> </ol>	(=) == (********************************
b. by substituted service. On (date): at (time): in the presence of (name and title or relationship to person indicated in	I left the documents listed in item 2 with or n item 3):
(1) [ (business) a person at least 18 years of age apparently in of the person to be served. I informed him or her of the gen	charge at the office or usual place of business neral nature of the papers.
(2) (home) a competent member of the household (at least 18	Byears of age) at the dwelling house or usual eneral nature of the papers.
(3) (physical address unknown) a person at least 18 years of address of the person to be served, other than a United State of the peneral nature of the papers.	of age apparently in charge at the usual mailing tates Postal Service post office box. I informed
(4) Li thereafter mailed (by first-class, postage prepaid) copies at the place where the copies were left (Code Civ. Proc., § (date): from (city):	s of the documents to the person to be served § 415.20). I mailed the documents on or a declaration of mailing is attached.

Page 1 of 2

(date):

	CASE NUMBER:
PLAINTIFF/PETITIONER: MAX MEDIA, INC., a corporation	30-2012-00573178-CU-BC-
DEFENDANT/RESPONDENT: CORTISLIM INTERNATIONAL, INC.,	
5. c. by mail and acknowledgment of receipt of service. I mailed the document address shown in item 4, by first-class mail, postage prepaid,	ents listed in item 2 to the party, to the
(1) on (date): (2) from (city): (3) with two copies of the Notice and Acknowledgment of Receipt a	Selbi.) (Code Civ. Floc., 8 4 15.50.)
(4) to an address outside California with return receipt requested.	(Oddo om real)
d. X by other means (specify means of service and authorizing code section).  RECEIPT REQUESTED - California Code of Civil	: VIA CERTIFIED MAIL, RETURN Procedure, section 415.40.
Additional page describing service is attached.	
6. The "Notice to the Person Served" (on the summons) was completed as follows:	
a. X as an individual defendant.	
b. as the person sued under the fictitious name of (specify):	
c. as occupant. d. On behalf of (specify):	
416.10 (corporation) 416.93 (	business organization, form unknown)
416.60 (	
416.30 (joint stock company/association) 416.70 (	(ward or conservatee)
416.40 (association or partnership) 416.90	(authorized person)
416.50 (public entity) 415.46 other:	(occupant)
one.	
7. Person who served papers	
	CA 92101
b. Address: 501 West Broadway, Suite 1700, San Diego,	
c. Telephone number: 619-234-9193	•
d. The fee for service was: \$	
e. lam:	
<ul> <li>(1) X not a registered California process server.</li> <li>(2) exempt from registration under Business and Professions Code server.</li> <li>(3) registered California process server:</li> </ul>	
(3) registered California process server.  (i) owner employee independent contract	tor.
(ii) Registration No.:	
(iii) County:	
8. X I declare under penalty of perjury under the laws of the State of California	that the foregoing is true and correct.
or	and porrout
<ol> <li>I am a California sheriff or marshal and I certify that the foregoing is true</li> </ol>	e and correct.
Date: July 12, 2012	$\sim \sim $
DANA C. CHURCH	(SIGNATURE)
(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)	<u>.</u>

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
■ Complete Items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.  ■ Print your name and address on the reverse so that we can return the card to you.  ■ Attach this card to the back of the mailpiece, or on the front if space permits.  1. Article Addressed to:  Richard Sparn  521 Fifth Aue  New York, NY,0175	A Signature  X
	☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C,O.D.
	4. Restricted Delivery? (Extra Fee) Yes
2. Article Number (Transfer from service label) 7003 Et	160 0006 6644 4705
PS Form 3811, August 2001 Domestic R	elum Receipt 102595-01-M-2509



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-j.

LAW OFFICES OF ROBERT G. DYER 1 Robert G. Dyer, SB #76300 **ELECTRONICALLY FILED** 501 West Broadway, Suite 1700 2 Superior Court of California. San Diego, California 92101 County of Crange Telephone: (619) 234-9193 3 05/31/2012 at 03:01:20 PM Facsimile: (619) 234-9192 Digitar the Superior Court :4 By Maria Gina Ban, Deputy Clerk Attorneys for Plaintiff MAX MEDIA, INC., a corporation 5 6 7 SUPERIOR COURT OF THE STATE OF CALIFORNIA 8 FOR THE COUNTY OF ORANGE 9 10 CASEINO. 30-2012-00573178-CU-BC-CJC MAX MEDIA, INC., a corporation, 11 Plaintiff, COMPLAINT FOR DAMAGES 12 13 CORTISLIM INTERNATIONAL, INC.; NATIONAL MARKETING, INC.; CORTISLIM INTERNATIONAL LLC; ALAN 14 R. SPORN, an individual; JOHN S. 15 NEUBAUER, JR., an individual; RICHARD A Judge John C. Gastelum SPORN, an individual; and DOES 1 to 20, 16 inclusive, 17 Defendants. 18 19 Plaintiff Max Media, Inc. ("Plaintiff") files: its Complaint against Defendants CortiSlim 20 International, Inc., National Marketing, Inc., CortiSlim International, LLC, Alan R. Sporn, John S. 21 Neubauer, Jr., and Richard A. Sporn (collectively all referred to herein as "Defendants," and from 22 time to time, individually referred to as "Defendant") and hereby alleges as follows: 23 **PARTIES** 24 Plaintiff is and was, at all times relevant herein, a corporation organized under the 1, 25 laws of the State of Nevada, and conducted business in the County of Orange, State of California. 2б Defendant CortiSlim International, Inc. ("CortiSlim, Inc.") is and was, at all times ·2. 27 relevant herein, a corporation duly organized under the laws of the State of Delaware, with its 28

COMPLAINT FOR DAMAGES

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principal place of business located at 28241 Crown Valley Parkway, Suite F-415, Laguna Niguel, California 92677, and conducted the transactions referred to herein in the County of Orange, State of California.

- Defendant National Marketing, Inc.: ("NMI") is and was, at all times relevant .3. herein, a corporation duly organized under the laws of the State of Wyoming, with its principal place of business located at 28241 Crown Valley Parkway, Suite F-415, Laguna Niguel, California 82677. NMI's status in Wyoming is "revoked."
- Defendant CortiSlim International, LLC, ("CortiSlim, LLC") is and was, at all times relevant herein, a limited liability company, duly organized under the laws of the State of Nevada, with its principal place of business located at 28241 Crown Valley Parkway, Suite F-415, Laguna Niguel, California 92677. CortiSlim, LLC's, status in Nevada is "revoked." Upon information and belief, CortiSlim, LLC, owns certain of the assets used in the marketing and sale of the "CortiSlim®" brand products.
- Defendant Alan R. Sporn ("A. Sporn") is and was, at all times relevant herein, an individual and citizen of the State of California, residing in Orange County, California. A. Sporn is the founder, promoter, chief executive officer, a director, and a stock holder of CortiSlim, Inc. and NMI, and founder, promoter, chief executive officer and Managing Member of CortiSlim, LLC.
- Defendant John S. Neubauer, Jr. ("Neubauer") is and was, at all times relevant herein, an individual and citizen of the State of California, residing in San Diego County, California. Neubauer is the Chief Financial Officer of CortiSlim, Inc., and engaged in some of the conduct: alleged herein in the County of Orange, State of California.
- Defendant Richard A. Sporn ("R. Sporn") is and was, at all times relevant herein, 7... an individual and citizen of the State of New York, residing in Westchester County, New York. R. Sporn is a stock holder, a hoard member, the Chief Strategy Advisor and General Counsel of CortiSlim, Inc., and a Managing Member of CortiSlim, LLC, and engaged in some of the conduct alleged herein in the County of Orange, State of California..

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- 8. Plaintiff is informed, believes, and based thereon alleges that Defendants in this action acted as alleged in this Complaint jointly and for common purpose; that the acts alleged in this Complaint were in furtherance of a conspiracy among the Defendants; and that all actions were taken pursuant to that common design to defraud Plaintiff, and resulted in the fraud, breach of contract, violations of securities laws, and conspiracy, and breach of fiduciary duty set forth herein, from which Plaintiff was damaged.
- Plaintiff is informed, believes, and based thereon alleges that, at all times relevant, 9. there existed a unity of interest and ownership between A. Sporn, CortiSlim, Inc., CortiSlim, LLC and NMI (collectively, the "Sporn Affiliated Defendants") such that any individuality and separateness between the Sporn Affiliated Defendants never existed or has ceased to exist, and that the Sporn Affiliated Defendants are the alter egos of each other. Plaintiff is further informed, believes, and based thereon alleges that the Sporn Affiliated Defendants, and each of them, used assets of each of the other Sporn Affiliated Defendants for their own purposes as though it were their own and caused assets to be transferred between them or to entities they controlled. Plaintiff is informed, believes, and based thereon alleges that adherence to the fiction of the separate existence of the Sporn Affiliated Defendants, and each of them, as an entity distinct from the other Sporn Affiliated Defendants, would permit an abuse of the corporate privilege, would sanction fraud, and promote injustice, as well as set up the business of the Sporn Affiliated Defendants to make an unfair profit from fraudulent misconduct, unlawful evasion of contractual obligations and the deprivation of the rights and privileges afforded to minority shareholders under State and Federal law, In particular, but without limitation, the Sporn Affiliated Defendants each directly and indirectly controlled each other, and each is jointly and severally liable for the actions alleged in this Complaint, Each has direct and indirect control of the other, including the power to direct or cause the direction of the management and polices of the other, through ownership of securities and assets, by contract, and otherwise. The Sporn Affiliated Defendants exercised active control over the day-to-day affairs of the other, and each had the power to control and influence the particular transactions alleged herein, whether or not such power was actually exercised in these instances, (References herein to A. Sporn shall also refer to the Sporn Affiliated Defendants.)

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10. On information and belief, Plaintiff alleges that each of the Defendants was the agent of the others, and was acting for and on behalf of the others in doing the acts herein alleged.

Accordingly, each of the Defendants is liable for the acts of the others.

#### BACKGROUND FACTS

- 11. CortiSlim, Inc. is in the business of procuring the manufacture of, and in marketing and selling, various dietary supplement products, under the name of "CortiSlim®."
- 12. NMI is or claims to be the owner of certain assignments of federal trademarks for or involving the name "CortiSlim®," including marks Registration Number #4044657, 3132029, 3132028 and 3132026. NMI acquired the assignment of certain of the said trademarks from Window Rock Enterprises, Inc.
- 13. Despite the fact that NMI is or claims to be the owner of the CortiSlim®marks, the Sporn Affiliated Defendants, Neubauer and R. Sporn represent, and at all times relevant to this matter have represented, that CortiSlim, Inc. is the owner of the registered trademark "CortiSlim®."
- 14. In September 2011, CortiSlim, Inc. began a campaign to raise \$5,000,000.00 from investors, by means of a Private Placement Memorandum dated September 26, 2011 (the "Private Placement Memorandum, CortiSlim, Inc. stated that the proceeds from investors would be used in part for the execution of the marketing plan for direct marketing of the CortiSlim® products. CortiSlim, Inc.'s efforts to raise the \$5,000,000.00 had not succeeded when A. Sporn became acquainted with Mr. John Graziano: ("Graziano") the principle of Max Media, Inc., in the early fall of 2011.
- 15. In initial phone calls and email messages between A. Sporn and Graziano, A. Sporn told Graziano about the money raising efforts by CortiSlim, Inc. and the need for a well-known marketing and advertising company, such as the one owned by Graziano, to direct and oversee all future marketing and advertising efforts of CortiSlim, Inc.
- 16. Graziano owns and operates Max Media, Inc., ("Max Media") a well-known marketing and advertising firm. Graziano is a forty-year veteran of marketing and advertising and has spent the last twenty-five years being heavily involved in the field of direct response marketing